REMARKS

Reconsideration and further examination of the application, as amended, are requested. All objections and rejections are respectfully traversed.

In the final Office Action, claim 1 was objected to based on the inclusion of the word "intermediate" on line 2. Applicants have amended claim 1 to correct this minor error.

Claims 1, 2, 10, 11, 16, and 17 were finally rejected under 35 U.S.C. §103(a) as being obvious based on U.S. Patent No. 6,449,251 to Awadallah et al. ("Awadallah") in view of the "VoIP Call Admission Control Using RSVP" reference from Cisco Systems. Claims 5, 6, 8, 9, 13, and 15 were finally rejected under §103(a) as being obvious based on Awadallah and the "VoIP Call Admission Control Using RSVP" reference in further view of U.S. Patent No. 6,744,767 to Chiu ("Chiu"). Claims 19-29, 31, 32, 35, 36 and 39 were finally rejected under §103(a) as being obvious based on Awadallah and the "VoIP Call Admission Control Using RSVP" reference in further view of P. Jappila "RSVP" reference. Claims 30, 33, 34, 37 and 38 stand finally rejected under §103(a) as being obvious based on Awadallah, the "VoIP Call Admission Control Using RSVP" reference, and P. Jappila "RSVP" in further view of U.S. Patent No. 6,760,774 to Soumiya ("Soumiya"). Applicants respectfully traverse the rejections.

Claims 33 and 37 have been canceled in this amendment. Accordingly, claims 1-2, 5-6, 8-11, 13, 15-32, 34-36 and 38-39 remain pending in this application. Applicants have also amended claims 1, 28-31, 35 and 38 to correct several minor, typographical

errors. No new matter is being introduced, and support for the claim amendments exists

in the Specification as originally filed.

Claim 1, in relevant part, recites:

> "**in response to a first request to reserve resources** for a given traffic flow, the resource reservation engine allocates one or more resources to the given traffic flow, **but does <u>not</u> make the one or more allocated resources available** to the given traffic flow"

Applicants respectfully submit that the art of record fails to provide such a teach-

ing or suggestion.

As set forth on pp. 2 and 14, the final Office Action relies on the "VoIP Call Ad-

mission Control Using RSVP" reference as purportedly teaching this claimed feature.

This reference describes a new feature included in version 12.1(3)XI of Cisco's Internet-

work Operating System (IOS). <u>See</u> p. 1, line 23 (noting how prior releases of Cisco's

IOS worked). The particular feature being described in this reference is the ability to

synchronize the RSVP protocol with Version 2 of the H.323 family of protocols in order

to support VoIP. <u>See</u> p. 1, lines 2-4 ("This feature synchronizes RSVP procedures with

H.323 Version 2 (Fast Connect) setup procedures to ensure that the required Quality of

Service (QoS) for a call is maintained across the IP network"). The term "H.323" refers

to a suite of protocols developed by the International Telecommunications Union (ITU)

to permit multimedia communication over networks. The protocols that make up H.323

include H.225 (call control and setup) and H.245 (media control and transport).

Applicants agree that the "VoIP Call Admission Control Using RSVP" reference

describes a situation in which, before the destination VoIP phone begins ringing, a band-

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width reservation is established in both directions (i.e., from the source VoIP phone to the destination VoIP phone, and from the destination back to the source). What claim 1 recites, however, is that, contrary to the conventional operation of RSVP in which resources are made available in response to the first reservation request message, resources are allocated **but are not made available** in response to the first reservation request. Thus, what is being recited in claim 1 is a departure from the conventional operation of RSVP.

In contrast, the "VoIP Call Admission Control Using RSVP" reference, at all times, teaches and suggests that RSVP is operating in its conventional mode, i.e., that the bandwidth reservation is established in response **to the first reservation request**. For example, on p. 1, line 15, the reference states that "RSVP is the IP service that allows applications to request end-to-end QoS guarantees from the network". The only appropriate conclusion to draw from this statement is that the reference is referring to the conventional RSVP protocol. If the reference intended that the RSVP protocol being identified was operating in something other than its conventional way, the reference would explicitly state this. No such statement appears anywhere in the reference.

In fact, the reference provides no details of the operation of the RSVP protocol, such as a description of the messaging sequence. This further supports the conclusion that the reference is referring to the conventional operation of the RSVP protocol. In addition, by failing to describe the messaging sequence, the reference can not possibly provide any teaching or suggestion for allocating (but not making available) resources in response to a first reservation request. Because the reference fails to teach or suggest a

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technique in which resources are allocated, but not made available in response to a first reservation request the rejection of claim 1 should be withdrawn.

The final Office Action also states that "In the Cisco document, the process moves to the alerting phase, i.e., the resource available state, only when communication is established in both directions." Applicants respectfully disagree. Applicants submit that what the reference actually states is that the RSVP and H. 323 protocols ensure that appropriate bandwidth is reserved, i.e., made available, <u>before</u> the destination VoIP phone is allowed to ring. Again, there is no teaching or suggestion for allocating (but <u>not</u> making available) resources in response to a <u>first reservation request,</u> nor is there any teaching or suggestion for making those allocated resources subsequently available in response to a <u>second reservation request</u>. Indeed, dependent claims 30 and 38 recite that the second reservation request isn't even sent until <u>after</u> the destination VoIP phone is picked-up, which is obviously after it begins ringing.

Claims 2, 5, 6, 8 and 9 depend from claim 1. Thus, the rejection of these claims should also be withdrawn for these as well as other independent reasons.

The other pending claims are also distinguishable over the art of record for these as well as other independent reasons.

For example, independent claim 10 recites in relevant part:

> **"in response to receiving the first resource reservation message, allocating** one or more of the device's resources for use in forwarding network traffic between the two or more entities", and

> **"withholding the allocated resources** from being applied to the traffic flow between the two or more entities".

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Independent claim 16 recites in relevant part:

"configuring **the first resource message** to include a two phase reserva-
tion flag" and

"asserting the two phase reservation flag so that **resources within the net-
work will be allocated, but** <u>not made available</u> to the identified traffic flow".

Independent claim 19 recites in relevant part:

"means for allocating, **in response to the <u>first</u> resource reservation mes-
sage,** one or more of the router's resources for use in forwarding network traffic
between the two or more entities, **but not making available the one or more
router's resources** to the identified traffic flow".

Independent claim 20 recites in relevant part:

"allocating, in response to the first resource reservation message, one or
more of the router's resources for use in forwarding network traffic between the
two or more entities, but not making available the one or more router's resources
to the identified traffic flow".

Independent claims 24, 27, 28, 31, 35 and 39 include similar limitations. Because

the art of record fails to teach or suggest a technique in which resources are allocated (but

not made available) in response to a first reservation request, among other reasons, the

rejection of these claims should also be withdrawn. The remaining claims depend from

allowable base claims, and thus they too are allowable for these as well as other inde-

pendent reasons.

Applicants submit that the application, as amended, is in condition for allowance

and early favorable action is respectfully requested.

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Please charge any additional fee occasioned by this paper to our Deposit Account

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Respectfully submitted,

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